

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

EINAR NELSEN, individually and as a  
successor in interest to decedent,  
CECELIA NELSEN,

Plaintiff,

No. C 06-5170 PJH

v.

**ORDER STAYING CASE  
PENDING MDL DECISION**

GUIDANT CORPORATION; GUIDANT  
SALES CORPORATION; CARDIAC  
PACEMAKERS, INC.; BOSTON  
SCIENTIFIC CORPORATION, JOHN  
MUIR HEALTH; and DOES 1 through  
100, inclusive,

Defendants.

\_\_\_\_\_/

The Judicial Panel on Multidistrict Litigation ("JPML") to MDL-1708, *In re Guidant Corp. Implantable Defibrillators Products Liability*, is currently considering plaintiff's opposition to a conditional transfer order, transferring this case to the United States District Court, District of Minnesota ("MDL court"), and plaintiff's motion is due to the JPML on October 10, 2006. The court is in receipt of defendants' opposition to plaintiff's pending motion for remand before this court, in which defendants request the court stay the instant case pending resolution of the JPML proceedings. Because proceedings before the JPML are ongoing, and transfer of this case to the MDL court is likely, the court hereby STAYS all further proceedings in the above case pending resolution of the JPML's transfer decision. Accordingly, the court VACATES the October 18, 2006 hearing date on plaintiff's motion to

1 remand to the state court and any related deadlines. The parties are ORDERED to notify  
2 this court regarding the JPML's transfer decision as soon as one is issued.

3  
4 September 29, 2006

5 **IT IS SO ORDERED.**

6 

7  
8 

---

PHYLLIS J. HAMILTON  
United States District Judge